PATENT

Peg. No. __ 37,643

Attorney Docket No.: DIVER1280-10

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Short and Keller

Art Unit:

1636

Serial No.:

09/848,095

Examiner:

B. Loeb

Filed:

May 3, 2001

Title:

HIGH THROUGHPUT SCREENING FOR NOVEL ENZYMES

Box Sequence

Commissioner for Patents Washington, D.C. 20231

STATEMENT UNDER 37 C.F.R. §§ 1.821(f) and (g)

Sir:

I hereby state, as required by 37 C.F.R. § 1.821(f), that, except for the priority information, the content of the paper copy of the Sequence Listing in the present application is identical to the computer readable copy of the Sequence Listing that filed in 08/876,276 application, filed June 16, 1997.

I hereby state, as required by 37 C.F.R. § 1.821 (g), that the enclosed submission includes no new matter.

Respectfully submitted,

Date: January//

Lisa A. Haile, J.D., Ph.D.

Registration No. 38,347
Telephone: (858) 677-1456

Facsimile: (858) 677-1455

GRAY CARY WARE & FREIDENRICH LLP 4365 Executive Drive, Suite 1100 San Diego, CA 92121-2133

Customer Number: 28213





Attorney Docket No.: DIVER1280-10

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Short and Keller

Art Unit:

1636

Parent Serial No.

08/876,276

Parent Filing Date

June 16, 1997

Examiner:

B. Loeb

Serial No.:

09/848,095 May 3, 2001

Filed: Title:

HIGH THROUGHPUT SCREENING FOR NOVEL ENZYMES

Box Sequence

Commissioner for Patents Washington, D.C. 20231

PERMISSION TO USE SEQUENCE LISTING

Sir:

The above-identified patent application lacks a substitute paper copy of the Sequence Listing for inclusion into the Specification, as well as a computer readable form of the Sequence Listing. Applicants respectfully direct the attention of the Office to the following:

A computer-readable form in this application is identical with that filed in U.S. Patent Application No. 08/876,276 (the "276 application"), filed June 16, 1997. Pursuant to 37 CFR §1.821(e), please use the last-filed computer-readable form filed in the "276 application" as the computer-readable form for application filed herewith. It is understood that the Patent and Trademark Office will make the necessary change in application number and filing date for the computer readable form that will be used for application filed herewith.

In re Application of: Short and Keller

Application Serial No.: 09/848,095

Filed: May 3, 2001

Page 2

Attorney Docket No.: DIVER1280-10

No fee is deemed necessary in connection with the filing of this paper. However, if any fee is required, the Commissioner is hereby authorized to charge the amount of this fee, or credit any overpayments, to Deposit Account No. <u>50-1355</u>.

Respectfully submitted,

Date: January 18 200 d

Lisa A. Haile, J.D., Ph.D. Registration No. 38,347

Telephone: (858) 677-1456 Facsimile: (858) 677-1465

GRAY CARY WARE & FREIDENRICH LLP 4365 Executive Drive, Suite 1100 San Diego, California 92121-2133

USPTO Customer Number 28213